REMARKS

The Examiner is thanked for the thorough examination of the present application. The Office Action mailed February 21, 2008 rejected claims 1-9 and 20-30. This is a full and timely response to that outstanding Office Action. Upon entry of the amendments in this response, claims 1-9 and 20-30 are pending. More specifically, claims 1 and 30 are amended. No new matter is added to the present application by these amendments. These amendments are specifically described hereinafter.

I. Present Status of Patent Application

Claims 1, 2, 4-9, and 20-29 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Tsai* (U.S. Patent No. 6,839,741) in view of *Fake, et al.* (U.S. Patent No. 5,826,062). Claims 3 and 30 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Tsai* (U.S. Patent No. 6,839,741) in view of *Fake, et al.* (U.S. Patent No. 5,826,062) and further in view of *Cooper, et al.* (U.S. Patent No. 6,052,442). These rejections are respectfully traversed.

II. Rejections Under 35 U.S.C. §103(a)

A. Claims 1-9 and 20

The Office Action rejects claims 1, 2, 4-9 and 20 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Tsai* (U.S. Patent No. 6,839,741) in view of *Fake, et al.* (U.S. Patent No. 5,826,062). The Office Action rejects claim 3 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Tsai* (U.S. Patent No. 6,839,741) in view

of *Fake, et al.* (U.S. Patent No. 5,826,062) and further in view of *Cooper, et al.* (U.S. Patent No. 6,052,442).

Independent claim 1, as amended, recites:

> 1. A method of manipulating email messages with an email network appliance comprising:
> ***receiving an email message with an email network appliance at a client that can only provide the text of a message, the email message received at the client having had attachments that cannot be viewed on the email network appliance automatically deleted such that the email message is text only***;
> classifying the text only email message;
> inserting the text only email message into a classification container; and
> presenting the classification container in a classification display section.

(Emphasis added).

Applicants respectfully submit that claim 1 is patentably distinct from the cited art for at least the reason that the cited art does not disclose the features emphasized above. For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references must disclose, teach, or suggest all elements/features of the claim at issue. *See, e.g., In re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988) and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981).

Applicants respectfully submit that the amendments to claim 1 have rendered the rejection moot. Applicants respectfully submit that independent claim 1 is allowable for at least the reason that the combination of *Tsai* and *Fake* does not disclose, teach, or suggest at least **receiving an email message with an email network appliance at a client that can only provide the text of a message, the email message received at the client having had attachments that cannot be viewed on the email network**

appliance automatically deleted such that the email message is text only. Even if, assuming for the sake of argument, *Tsai* discloses an e-mail message attachment distribution system, *Tsai* fails to disclose receiving an email message with an email network appliance at a client that can only provide the text of a message, the email message received at the client having had attachments that cannot be viewed on the email network appliance automatically deleted such that the email message is text only. Even if, assuming for the sake of argument, *Fake* discloses converting and displaying an email message ***at a client*** (Fake, col. 2, lines 26-34), Fake fails to disclose receiving an email message with an email network appliance at a client that can only provide the text of a message, the email message received at the client having had attachments that cannot be viewed on the email network appliance automatically deleted such that the email message is text only. According to the instant claim, the emails received at the client have already had all non-text attachments removed. As the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 1, the rejection should be withdrawn for at least that reason.

For at least the reason that independent claim 1 is allowable over the cited references of record, dependent claims 2-9 and 20 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that dependent claims 2-9 and 20 contain all the features of independent claim 1. *See Minnesota Mining and Manufacturing Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002) *Jeneric/Pentron, Inc. v. Dillon Co.*, 205 F.3d 1377, 54 U.S.P.Q.2d 1086 (Fed. Cir. 2000); *Wahpeton Canvas Co. v. Frontier Inc.*, 870 F.2d 1546, 10 U.S.P.Q.2d 1201 (Fed. Cir.

1989). Therefore, the rejection of claims 2-9 and 20 should be withdrawn and the claims allowed.

Additionally, with regard to the rejection of claim 3, *Cooper* does not make up for the deficiencies of *Tsai* and *Fake* noted above. Therefore, claim 3 is considered patentable over any combination of these documents for at least the reason that claim 3 incorporates allowable features of claim 1 as set forth above.

B. Claims 21-29

The Office Action rejects claims 21-29 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Tsai* (U.S. Patent No. 6,839,741) in view of *Fake, et al.* (U.S. Patent No. 5,826,062).

Independent claim 21 recites:

> 21. A system of manipulating email messages:
> ***a server configured for receiving a plurality of email messages for a user, for automatically deleting all attachments that cannot be viewed on an email device that can only provide the text of the email messages*** and
> a transmitter for transmitting the email messages to a user for viewing on the email device.

(Emphasis added).

Applicants respectfully submit that claim 21 is patentably distinct from the cited art for at least the reason that the cited art does not disclose the features emphasized above. For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references must disclose, teach, or suggest all elements/features of the claim at issue.

Applicants respectfully submit that the amendments to claim 21 have rendered the rejection moot. Applicants respectfully submit that independent claim 21 is allowable for at least the reason that the combination of *Tsai* and *Fake* does not disclose, teach, or suggest at least **a server configured for receiving a plurality of email messages for a user, for automatically deleting all attachments that cannot be viewed on an email device that can only provide the text of the email messages**. Even if, assuming for the sake of argument, *Tsai* discloses an e-mail message attachment distribution system, *Tsai* fails to disclose a server configured for receiving a plurality of email messages for a user, for automatically deleting all attachments that cannot be viewed on an email device that can only provide the text of the email messages. Even if, assuming for the sake of argument, *Fake* discloses converting and displaying an email message ***at a client*** (Fake, col. 2, lines 26-34), *Fake* fails to disclose a server configured for receiving a plurality of email messages for a user, for automatically deleting all attachments that cannot be viewed on an email device that can only provide the text of the email messages. According to the instant claim, the emails received at the client have already had all non-text attachments removed. As the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 21, the rejection should be withdrawn for at least that reason.

For at least the reason that independent claim 21 is allowable over the cited references of record, dependent claims 22-29 (which depend from independent claim 21) are allowable as a matter of law for at least the reason that dependent claims 22-29

contain all the features of independent claim 21. Therefore, the rejection of claims 22-29 should be withdrawn and the claims allowed.

C. Claim 30

The Office Action rejects claim 30 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Tsai* (U.S. Patent No. 6,839,741) in view of *Fake, et al.* (U.S. Patent No. 5,826,062) and further in view of *Cooper, et al.* (U.S. Patent No. 6,052,442).

Independent claim 30, as amended, recites:

> 30. A method of manipulating email messages with an email network appliance comprising:
> ***receiving an email message with an email network appliance at a client that can only provide the text of a message, the email message at the client having had attachments that cannot be viewed on the email network appliance automatically deleted such that the email message is text only***;
> classifying the text only email message;
> inserting the text only email message into a classification container;
> presenting the classification container in a classification display section comprising at least two sections, each section containing one classification container;
> presenting a text only email message in a classification container, wherein all presenting of the text only email message is performed off-line and
> prompting a user to save a sent email message;
> wherein the email network appliance comprises a handheld email Internet appliance connected to a public switched network via an RJ-11 interface, the appliance further comprising a keyboard and a scrollable line display capable of presenting at least six lines but no more than fifteen lines.

(Emphasis added).

Applicants respectfully submit that claim 30 is patentably distinct from the cited art for at least the reason that the cited art does not disclose the features emphasized above.

For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references must disclose, teach, or suggest all elements/features of the claim at issue.

Applicants respectfully submit that the amendments to claim 30 have rendered the rejection moot. Applicants respectfully submit that independent claim 30 is allowable for at least the reason that the combination of *Tsai, Fake,* and *Cooper* does not disclose, teach, or suggest at least **receiving an email message with an email network appliance at a client that can only provide the text of a message, the email message at the client having had attachments that cannot be viewed on the email network appliance automatically deleted such that the email message is text only**. Even if, assuming for the sake of argument, *Tsai* discloses an e-mail message attachment distribution system, *Tsai* fails to disclose receiving an email message with an email network appliance at a client that can only provide the text of a message, the email message at the client having had attachments that cannot be viewed on the email network appliance automatically deleted such that the email message is text only. Even if, assuming for the sake of argument, *Fake* discloses converting and displaying an email message ***at a client*** (Fake, col. 2, lines 26-34), *Fake* fails to disclose receiving an email message with an email network appliance at a client that can only provide the text of a message, the email message at the client having had attachments that cannot be viewed on the email network appliance automatically deleted such that the email message is text only. Even if, assuming for the sake of argument, *Cooper* discloses an internet answering machines, *Cooper* fails to disclose receiving an email message with an email network appliance at a client that can only provide the text of a message, the

email message at the client having had attachments that cannot be viewed on the email network appliance automatically deleted such that the email message is text only. According to the instant claim, the emails received at the client have already had all non-text attachments removed. As the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 30, the rejection should be withdrawn for at least that reason.

III. Miscellaneous Issues

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for the particular and specific reasons that the claimed combinations are too complex to support such conclusions and because the Office Action does not include specific findings predicated on sound technical and scientific reasoning to support such conclusions.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-9 and 20-30 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

It is believed that no extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account No. 20-0778.

Respectfully submitted,

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